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August 18, 2015

## VIA ECF

The Honorable Robert W. Sweet  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *In re Facebook, Inc., IPO Securities and Derivative Litigation*  
12-md-02389 (RWS)

Dear Judge Sweet:

We represent Facebook, Inc. and its officers and directors (the “Facebook Defendants”) in the above-referenced litigation. On Friday, August 14, 2015, we filed a motion to intervene in the Consolidated Nasdaq Actions in the above-referenced MDL proceeding. As the Court is aware, Fed. R. Civ. P. 24(c) requires that a pleading in intervention be filed with any motion to intervene. Based on our consultation with the Court’s ECF clerk, we filed our proposed pleading in intervention as a standalone document denoted as an intervenor complaint. The motion to intervene was filed and docketed at ECF No. 322 in the lead MDL docket, 12-md-02389 (and related dockets). The proposed pleading was filed separately at ECF No. 324 in the lead MDL docket, 12-md-02389.

The proposed pleading has now been twice rejected from the Court’s filing system, most recently because we did not have leave of Court to file a pleading in intervention. Because Rule 24(c) *requires* that a pleading be filed in connection with our motion, which seeks leave to intervene for the purposes set forth in the proposed pleading, we respectfully request that the Court accept the document filed as ECF No. 324 (attached hereto as Ex. A) as satisfaction of Rule 24(c)’s requirement that a pleading be filed with a motion to intervene.

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Please do not hesitate to contact me if you have any questions concerning the foregoing.  
We are grateful for the Court's time and attention to this matter.

Sincerely,

*/s/ Nathaniel J. Kritzer*

Nathaniel J. Kritzer

cc: All Counsel of Record (Via ECF)